



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

November 9, 2017

Pete Dronkers
Earthworks
1612 K St. NW #808
Washington DC, 20006

Re: Extension of the Public Comment Period Regarding the Draft Class III Underground Injection Control Area Permit and the Proposed Aquifer Exemption for the Excelsior Mining Arizona, Inc.'s Gunnison Copper Project

Dear Mr. Dronkers:

I am writing to respond to your November 1, 2017 emailed letter requesting an extension of the public comment period for the draft Class III Underground Injection Control (UIC) Area Permit for Excelsior Mining Arizona, Inc.'s proposed Gunnison Copper Project. The United States Environmental Protection Agency, Region 9 (EPA) will grant an extension of forty-five (45) days past the current November 24, 2017 deadline to a new closing date of the public comment period of January 8, 2018 to give the public a reasonable opportunity to consider the Draft Permit materials and any part of the administrative record.

We will amend the deadline on our website and release a news brief to inform the public of the extension of time for the public comment period (40 CFR §124.10). EPA will also provide a copy of the revised public notice to the local and state Government contacts and interested persons who are on EPA's emailing list. The current notice solicits public comments on the Draft Permit and concurrently provides the public an opportunity to comment on the proposed Aquifer Exemption. Therefore, the extension to the public comment period will also apply to the opportunity to comment on the proposed Aquifer Exemption.

You also requested a public meeting to be held in Cochise County. EPA is available next week to have an informational meeting with you and parties that you represent via webinar, video or phone conference to answer technical questions on the Draft Permit materials. Please contact Nancy Rumrill of my staff at Rumrill.nancy@epa.gov to coordinate the meeting.

As noted in the public notice, any interested person may submit written comments on the draft Permit and/or the proposed Aquifer Exemption during the comment period (40 CFR §124.11). EPA will consider all comments in making the final permit decision and issue a response to comments

after the close of the comment period as provided in 40 CFR §124.17. EPA will notify all commenters regarding this decision pursuant to 40 CFR §124.15(a).

If you have any questions regarding this letter, please call me at 415-972-3971 or contact Nancy Rumrill at 415-972-3293.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D Albright', with a stylized flourish at the end.

David Albright
Acting Assistant Director
Tribal and State Assistance Branch

Cc (by e-mail): Rebecca Sawyer, Excelsior Mining Arizona, Inc.
Dave Dunaway, ADEQ